

REMARKS

Before discussing the substantively rejection, Applicants remind the Examiner that the invention relates to a food item with:

- a first unleavened outer dough layer having a thickness of less than about 0.9 mm;
- a second yeast leavened inner dough layer having a specific moisture content and a thickness greater than 1 mm with the second dough layer in contact with a filling portion.

Applicant's specific application is directed to pizzas.

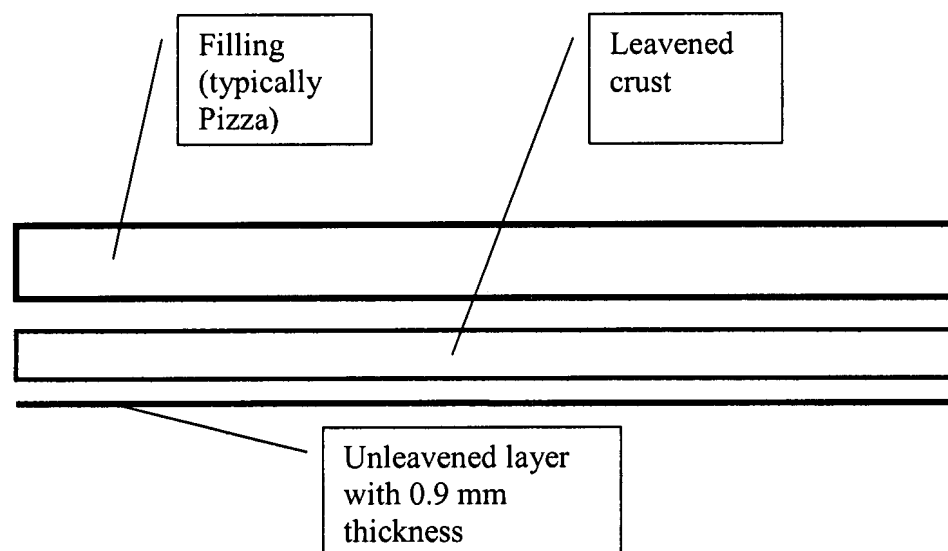
The Examiner admits that even though the art does not teach:

1. The Claimed Leavened interior layer;
2. the interior layer moisture content;
3. the exterior layer thickness;
4. the fat content of the interior layer; and
5. the ratio of thicknesses;

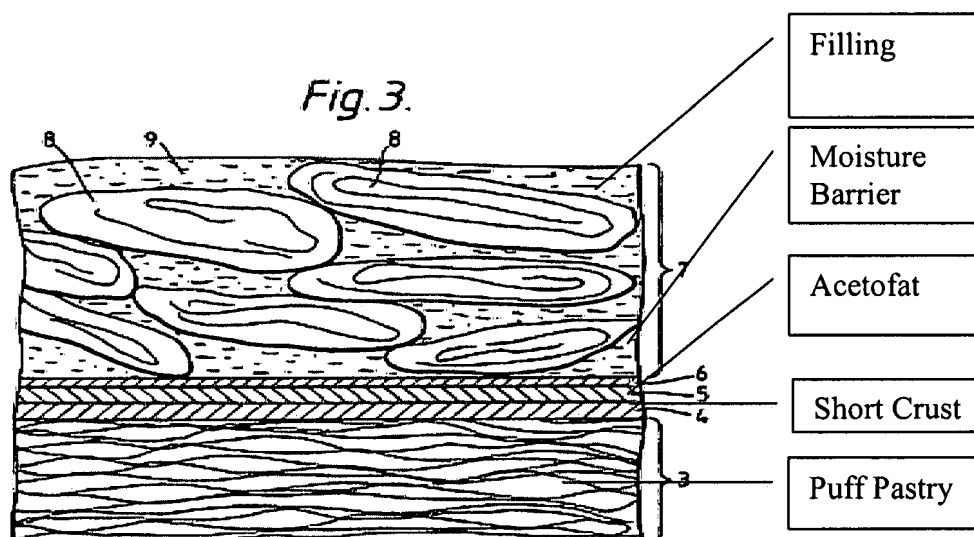
that the invention is nevertheless obvious. This position is not sustainable.

The purpose of the invention is to form a thin crispy unleavened crust exterior layer in contact with a second yeast leavened bread layer having a specific moisture content and thickness in contact with the filling. Once combined and baked, the exterior thin unleavened layer forms a crispy exterior while the leavened layer obtains a breadly tasty layer that protects the outer layer from the inner layer. This protection protects the filling from preventing the outer layer from maintaining its crispy thin aspect. A drawing that attempts to be illustrative or

representative of the invention is as follows (not necessarily to scale):



The Examiner has relied on Van Der Graaf et al., U.S. Patent No. 5,405,626 in this rejection. The invention in Van Der Graaf is shown in the following diagram:



In the diagram can be seen a filling layer 8 and 9, a puff pastry layer 3, a short crust layer 4 and an acetofat/moisture barrier layer 5/6.

There are two substantial and unobvious differences between the claimed invention and the prior art:

1. No puff pastry layer can be made either in a baked or unbaked form that has a dimension of less than 0.9 mm as a substantially commercial product; and

2. The short crust layer in Van Der Graf is unleavened and is not a leavened bready crust as the Examiner states.

Firstly, the claimed thin exterior layer is not taught in this art. No one of ordinary skill in the art would regard the Van Der Graaf puff pastry layers to be a thin crispy layer with a dimension of less than 0.9 mm and in combination with a bready leavened layer.

Faced with the Van Der Graaf invention, one of ordinary skill in the art would not replace the puff pastry layer with a thin crust layer since the purpose of Van Der Graaf is entirely different than the invention. In Van Der Graaf, the inventors attempt to prevent the filling from interfering with the puff pastry using a fatty barrier layer. Applicants are attempting to form a crust having a crispy exterior and a bready interior in contact with the filling.

With respect to the thickness of the layers, the Examiner comments:

It would have been obvious to form the dough layers in any thickness and thickness ratio depending on the texture and taste wanted. Thinner crust provides a crunchier texture than a thicker crust. The degree of thickness would have been a matter of preference.

The Examiners comments are not well taken. There is no teaching in this art that a thin layer is useful. Some teaching must be present to obtain a rejection of this claim limitation. Puff pastry layers are a specifically well defined pastry product that is manufactured by forming a very large number of laminates separated by fatty layers. When the product is baked it forms the characteristic expanded puff pastry structure that forms as the high number of layers bakes into a thick flaky puff pastry structure. Attached is an article that shows the nature of puff pastry. The article has a number of photographs that show that a puff pastry is not at all similar to the claimed thin layer. It is not within the skill of the art to change the characteristics of puff pastry layers since that is a well defined specific product. Further, will it not be obvious to remove the puff

pastry layer from Van Der Graaf since it is the core of the invention to form a product having a filling in combination with a puff pastry layer.

Secondly, the reference does not teach a leavened bread crust. A review of the disclosure shows no teaching of a leavened material in the interior layer. The Examiner is not permitted to infer limitation not taught. This is especially true where the preferred embodiment of the teaching is directed away from the invention. The reference exemplifies a Short Crust layer. Such a layer is not leavened. Clearly the reference teaches away from a leavened material in the interior layer.

The Bauman reference does not add anything to the rejection and does not rectify the problem that the prior art reference does teach the thin exterior layer or the leavened bread layer. Bauman teaches a glue layer used to seal a toaster pastry. The Glue is applied to the perimeter of the layered pastry. This has no relation to the invention in any regard..

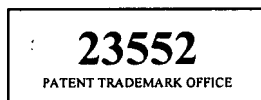
In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

10 Sept '07
Date

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A Self-proclaimed Foodaholic

My gastronomical journey to being a pastry chef

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Posted by: Swee | 22nd Aug, 2006

Puff Pastry

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I know that's an English parsley.

Puff paste consists of many fine layers. The crisp and flaky structure is achieved by the folding and rolling techniques used to make it. Between every layer of dough is a layer of fat. During baking, the melting fat will be absorbed by the dough. The moisture from the dough is converted into steam and the expanding air lifts the pastry, keeping the layers separated. The increased volume of the pastry produces the characteristic structure and the desired appearance.

Different types of puff paste can be made, each one for a particular use.

- the proportion of fat to flour
- the type of fat and/or flour used
- the ingredients and the recipe structure
- the differing methods used for folding and rolling

Commercially prepared puff paste can be purchased in pieces or ready pinned out in rolls. Baked and unbaked (frozen) vol au vent cases and bouchees are also available. Products made from puff paste include vol au vents, bouchees, fleurons, cream horns, palmiers, cream slices, puff pastry pieces with various fillings, turnovers, millefeuille, pithivier, pie crust, sausage rolls and pieces of many different shapes as a garnish.

The main ingredients for puff paste are flour, fat, water and salt.

By recipe we basically differentiate between Full Puff, 3/4 Puff and Half Puff. It refers to the amount of fat used in relation to the amount of flour. Therefore, if 1000g of flour to 1000g of butter is used, the product will be a full puff pastry.

Lamination

The rolling out and folding of the paste is referred to as giving turns, or lamination. A three-fold (single turn or half turn) means rolling the paste out and folding it into 3 layers. A four turn (double turn or book fold) means turning the ends in to meet in the centre and then folding over like closing a book. A combination of the two methods can be used.

After every 2 turns, at least 20 minutes rest should be given, with a further 20 minutes before the final use and before baking. The paste may otherwise contract in the oven or lose its shape. Over rolling (too many turns) will break down the even and properly insulated layers and will result in a product similar to short paste.

How to count the layers

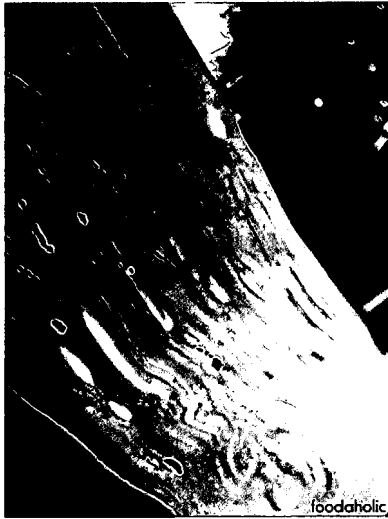
Single turns

1st turn = 3 layers
 2nd turn = $3 \times 3 = 9$ layers
 3rd turn = $3 \times 9 = 27$ layers
 4th turn = $3 \times 27 = 81$ layers
 5th turn = $3 \times 81 = 243$ layers
 6th turn = $3 \times 243 = 729$ layers

Double turns

1st turn = 4 layers
 2nd turn = $4 \times 4 = 16$ layers
 3rd turn = $4 \times 16 = 64$ layers
 4th turn = $4 \times 64 = 256$ layers
 * 5th turn = $4 \times 256 = 1024$ layers

With more than 1000 turns, it will cause over rolling and thus the puff paste would result to be similar to a short paste. So ideally, 6 single turns would produce a good amount of layers.



The layers of fat and dough (not very well done actually)

Common faults in Puff Pastry

1. **Lack of lift**
 Usually due to insufficient expansion of the dough layers during baking, caused by having the oven too cool. During baking, the steam develops too slowly and the pastry sets before expanding fully. Lack of lift may also result from damage to the laminated structure. To avoid this, make sure the fat and the dough are similar consistency (fat in room temperature) Roll evenly without undue forcing and avoid rolling too thinly between turns, especially where weak flour is suspected.. Maintaining evenness in the alternative layers of dough and fat is extremely important
2. **Shrinkage during baking**
 This is caused by a contraction of the dough layers. The gluten develops elasticity and toughness during preparation of the dough and during the rolling processes. The gluten must be given time to rest and relax at various stages, so that during baking, it will expand without shrinking. The answer to shrinking is therefore correct resting. The better the flour quality (more gluten) the longer the resting time required. Weak flour (less gluten content) needs lesser resting time
3. **Butter / margarine runs out during baking.**
 This results when the butter / margarine layers are too thick. Make sure you are giving the correct number of turns. Ensure that the margarine will plasticise (be at room temp and same consistency with dough). Don't use a soft-dough with a firm-grade margarine.
4. **Pastry topples during baking**
 Usually due to excessive and uneven expansion of dough layers. It is nearly always associated with some shrinkage and therefore can be improved by adequate resting periods. Again, it will happen if one of the turns is omitted, or if the pastry is cut out too thickly. Another frequent cause is careless enclosure of the fat at the start of the pastry process

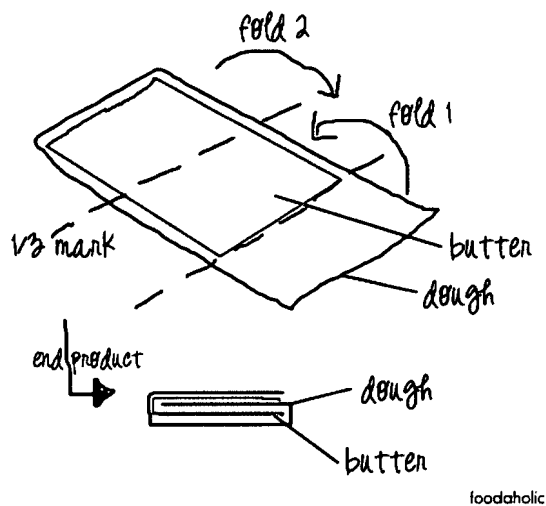


Chicken Vol au Vents cases before baking

3/4 Puff Pastry Recipe

880g Bakers Flour
13g Salt
510ml water
660g unsalted butter slab

Mix flour, salt and water into a dough (de trump) Do not over-knead it. Cover and rest in the fridge for 30 minutes.

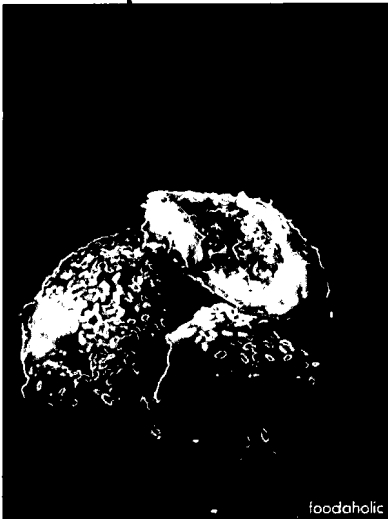


Roll out so that the butter slab is 2/3 of the dough. Make sure that there isn't too much excess dough at the sides. Fold it as according to the image above. (I hope u understand, as it's quite hard to explain literally :P) And by the way, this is the English method of doing Puff Pastry. Chill it for 30 mins. Then turn the dough 90 deg and pin out the dough again and fold it the same way (without the butter of course). Then repeat rotate-90 deg and fold. Chill for 30 mins. Then repeat the folding process till u've fold the puff paste for 6 times. Before u do anything with the dough, u need to rest it for 30 mins.

We made Chicken vol au vents, Beef bourguignon Pie, vegetable parcels, salmon en croute, apple turnovers, pithiviers and palmiers (*of course that amount of puff was just 1 puff pastry that we made. We did 2 more which is the French method and Scottish Method, which means, we have three puff pastries..*)

I'll put up the Palmiers (sweet), chicken vol au vents(savoury) and salmon en croute(savoury) recipe later. Meanwhile here are some images of other products made by puff pastry

* I've made puff pastry before during the days where me and my friend were so free, we decided to have a Pastry Day. Haha. And I made Portuguese Egg Tarts and apple strudel with that. It was quite a success too, even though I don't know what method or how many turns I did. 😊



Vegetable parcels



Beef Burguignon Pie



Cream horns (left)



Pithiviers - Puff pastry with Frangipane and apricot jam.



Apple Turnovers (*similar to apple pies*)

Thats about it. More recipes up later.

have a great day!

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